

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MONTEL PULLEN, *et. al.*,

Plaintiffs,

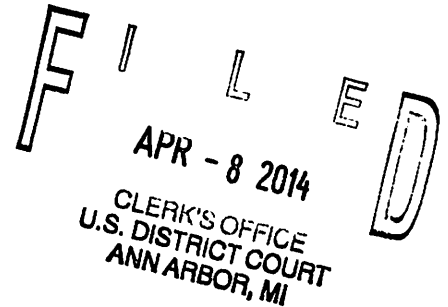
v.

McDONALD'S CORPORATION, *et. al.*,

Defendants.

Case No. 14-11081

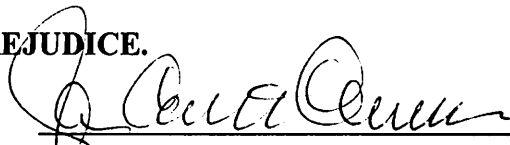
Honorable John Corbett O'Meara



ORDER OF PARTIAL DISMISSAL

Plaintiffs recently filed a six-count complaint in this court alleging the following causes of action: Counts I and II, violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201 *et. seq.*; Counts III and IV, violations of Michigan's Minimum Wage Law of 1964; Count V, breach of contract; and Count VI, unjust enrichment.

Although Plaintiffs' causes of action arising under federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations of the complaint are based solely on state law. Since the parties to this action are not diverse, this court declines to exercise supplemental jurisdiction over Plaintiffs' state law claims in order to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994). Therefore, it is hereby **ORDERED** that Counts III, IV, V, and VI are **DISMISSED WITHOUT PREJUDICE**.



John Corbett O'Meara
United States District Judge

Dated: April 8, 2014